

context to permit the Court to either grant or deny the Motion in a definitive matter. For example, while it should be without discussion that Ms. Hazeltine may not be compelled to answer questions concerning what legal advice the District requested of her or what her professional strategy was for handling the IEP hearings concerning Ferren Chambers, it appears that Ms. Hazeltine may also have participated in relevant events in a capacity, to an extent or in a manner that does not necessarily properly invoke the privilege or doctrine. Indeed, counsel for Plaintiff acknowledges that implicating the attorney-client privilege or work product doctrine would be properly subject to objection, but contends his purpose is only to “discover...information that has been communicated [by Ms. Hazeltine] to third parties, where the attorney-client privilege has been waived” and “information disclosed to third parties who were neither Ms. Hazeltine’s subordinates nor her clients.” (Pl.’s Br. at 4.)

Therefore, the Court will permit a deposition of Ms. Hazeltine with the expectation that the parties will be respectful of the extent of the attorney-client privilege and work product doctrine so that the questions put to Ms. Hazeltine will be attentive to what the privilege and doctrine protect and the objections (or instructions not to answer), if any, will be attentive to what they do not. The Court will resolve any disputes, provided that the precise questions drawing the disputed objection(s) or instruction(s) are presented to the Court to evaluate. The Court would expect that the proposed deposition can be completed in two hours or less.

An Order consistent with this Memorandum follows.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

and/or attorney work product doctrine, and Ms. Hazeltine may decline to answer specific questions on the same basis;

3. In the event a dispute arises in connection with the deposition, the parties shall present the specific question(s) at issue to the Court for resolution.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE